

BGK:MMO  
F. #2022V03577

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

-against-

REAL PROPERTY AND PREMISES KNOWN AS 432  
NORTH OAKHURST DRIVE, CONDOMINIUM UNIT  
103, BEVERLY HILLS, CALIFORNIA 90210, AND ALL  
PROCEEDS TRACEABLE THERETO;

REAL PROPERTY AND PREMISES KNOWN AS 432  
NORTH OAKHURST DRIVE, CONDOMINIUM UNIT  
203, BEVERLY HILLS, CALIFORNIA 90210, AND ALL  
PROCEEDS TRACEABLE THERETO;

ANY AND ALL FUNDS ON DEPOSIT IN STIFEL  
NICOLAUS & CO. ACCOUNT NUMBER ENDING  
IN 9142, HELD IN THE NAME OF 7D BUSINESS  
BUREAU INC., AND ALL PROCEEDS TRACEABLE  
THERETO; and

ANY AND ALL FUNDS ON DEPOSIT IN CITIZENS  
BUSINESS BANK ACCOUNT NUMBER ENDING IN  
7135, HELD IN THE NAME OF 7D BUSINESS BUREAU  
INC., AND ALL PROCEEDS TRACABLE THERETO,

Defendants *In Rem*.

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ARTIE MCCONNELL declares as follows:

I am an Assistant United States Attorney, of counsel to Breon Peace, United States Attorney, Eastern District of New York, attorney for plaintiff United States of America (“United States” or the “government”). I submit this declaration in support of the United States’ Motion to Strike the Claims Filed by 7D Business Bureau, Inc. (“7D”) and 73DT Business Properties, LLC (“73DT”) Under the Fugitive Disentitlement Doctrine.

DECLARATION OF  
ASSISTANT U.S. ATTORNEY  
ARTIE MCCONNELL  
  
22-CV-7410 (DLI) (PK)

1. On September 26, 2022, an Indictment was returned by a grand jury in the Eastern District of New York charging Andrii Derkach (“Derkach”) with: (1) conspiracy to violate IEEPA, in violation of 50 U.S.C. §§ 1705(a) and (c); (2) bank fraud conspiracy, in violation of 18 U.S.C. § 1349; (3) money laundering conspiracy, in violation of 18 U.S.C. § 1956(h); and (4) engaging in monetary transactions in property derived from specified unlawful activity (“SUA”), in violation of 18 U.S.C. § 1957. *See United States v. Andrii Derkach and Oksana Terekhova*, 22-CR-432 (S-1) (DLI) (E.D.N.Y.) (the “Criminal Case”), Docket Entry (“DE”) 3.

2. An arrest warrant was issued for Derkach on September 26, 2022.

3. Subsequently, on January 23, 2023, a Superseding Indictment was returned, which charged Derkach’s wife, Oksana Terekhova (“Terekhova”), with the same crimes as Derkach. *See Criminal Case*, DE 9.

4. An arrest warrant was issued for Terekhova on January 23, 2023.

5. On February 6, 2023, I emailed counsel for Terekhova – who are the same counsel for 7D and 73DT in the above-captioned civil case – to confirm their representation of Terekhova in the Criminal Case. That day, counsel for Terekhova responded to my email and confirmed their representation of Terekhova in the Criminal Case.

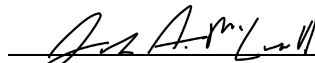
6. The next day, February 7, 2023, I sent an email to Terekhova’s counsel inquiring whether they were aware of the Superseding Indictment and arrest warrant for Terekhova. I also pointedly asked whether Terekhova and Derkach would be returning to the United States and appearing in the Criminal Case. Terekhova’s counsel responded that they were not aware of the Superseding Indictment and arrest warrant and asked that I send them copies of same. Terekhova’s counsel further stated that they would review the Superseding Indictment and arrest

warrant and revert to me. I immediately responded to counsel's email, attaching copies of the Superseding Indictment and arrest warrant for Terekhova.

7. Despite Terekhova's counsel's statement that they would revert to me after reviewing the Superseding Indictment and arrest warrant, they did not do so. Thus, on March 14, 2023, I sent a follow up email to Terekhova's counsel asking whether they had any updates, to which email I received no response. Based on Terekhova's counsel's failure to respond to my emails, and failure to revert to me after receiving copies of the Superseding Indictment and arrest warrant for Terekhova, I can only conclude that Terekhova has no intent to return to the United States to face the criminal charges against her.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: Brooklyn, New York  
July 17, 2023

  
Artie McConnell  
Assistant United States Attorney